

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

LONNIE WEATHERSPOON and)	
ANITA WEATHERSPOON,)	
)	
Plaintiffs,)	
)	
vs.)	No.
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

A F F I D A V I T

JOSEPH A. BARTHOLOMEW, being duly sworn upon his oath and pursuant to the Provisions of 735 ILCS 5/2-622, deposes and states as follows:

1. That the affiant has consulted and reviewed the facts of the case with a health professional who the affiant reasonably believes is knowledgeable in the relevant issues involved in the particular action and has practiced within the last six years in the same area of medicine that is at issue in this particular action and who is qualified by experience in the subject of this case.

2. That the reviewing health professional has determined in a written report, after review of the medical records and other relevant materials involved in the particular action that there is a reasonable and meritorious cause for filing such an action.

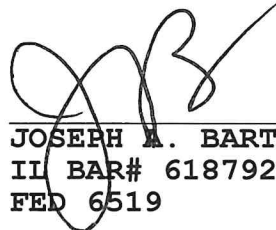
3. That affiant has concluded on the basis of the reviewing health professional's review and consultation, that there is a reasonable and meritorious cause for filing the above-styled action

against the United States of America.

4. That the reviewing healthcare professional is Board Certified.

5. That a copy of the Certificate of Merit is attached hereto and incorporated herein by reference.

6. That this case has never before been filed.



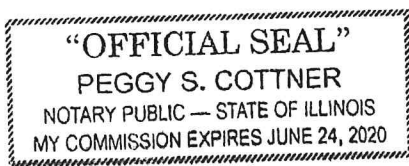
JOSEPH A. BARTHOLOMEW
IL BAR# 6187925
FED 6519

SUBSCRIBED AND SWORN, to before me, a Notary Public, this
14th day of April, 2020.



NOTARY PUBLIC

My Commission Expires:



Certificate of Merit

April 2, 2020

Re: Lonnie Weatherspoon

I am a board-certified physician licensed to practice medicine in all its branches. I have an active medical license and I practice and have practiced medicine within the previous six (6) years. I am knowledgeable concerning the areas of medicine in this particular action by experience, background, training, education and/or continuing medical education to comment on the issues presented by this case. I have reviewed the pertinent medical documents concerning the care and treatment of Lonnie Weatherspoon. Based on the information reviewed and considered it is my opinion that there is a reasonable and meritorious basis for an action against Dr. Brian Steele. On or about 8/16/2016 Lonnie Weatherspoon was evaluated by Dr. Brian Steele. Mr. Weatherspoon complained of weight loss. Based on weights obtained, Mr. Weatherspoon lost greater than 7 pounds since his previous visit (5/4/2016). Records from Dr. Steele's office generally showed more weight loss over time. On 3/5/2018 Mr. Weatherspoon again complained of weight loss. Despite having multiple risk factors for esophageal cancer (elderly, history of tobacco and alcohol use, obesity and poor diet), an abdominal CT/upper endoscopy was not recommended/performed until 3/20 – 3/27/2018, at which time Mr. Weatherspoon was diagnosed with late stage esophageal cancer. Dr. Brian Steele deviated from the acceptable standards of medical practice by failing to recommend appropriate and/or timely evaluation for esophageal cancer/gastroenterological malignancy for approximately 19 months. This delay of evaluation caused or contributed to cause a delay in diagnosis and treatment, which will negatively impact Mr. Weatherspoon's survival.